

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
Civil Action No. 23-CV-270**

MACKENZIE BROWN

Plaintiff,

v.

**HENDERSON COUNTY SHERIFF'S
OFFICE ET. AL.**

Defendants.

**CERTIFICATION AND REPORT OF F.R.C.P 26(f) CONFERENCE
AND PROPOSED DISCOVERY PLAN**

1. Certification of Conference. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on April 16, 2025 Mackenzie Brown, Plaintiff, and Sean Perrin and, counsel for Defendants.
2. Pre-Discovery Disclosures.
 - ☐ The information required by Fed. R. Civ. P. 26(a)(1) will be exchanged by
 - ☒ The parties stipulate out of or object to mandatory initial disclosures.
3. Discovery Plan. The parties jointly propose to the Court the following discovery deadlines and limitations.
 - (a) All discovery should be completed by February 26, 2026.
 - (b) *Discovery Limits:*
 - 1) Maximum of 10 interrogatories per side.
 - 2) Maximum of 10 requests for production per side.
 - 3) Maximum of 10 requests for admission per side.
 - 4) Maximum of 10 depositions by Plaintiff, and 3 depositions by Defendants.
 - (c) *Expert reports* from retained experts under Rule 26(a)(2) will be due:
 - from plaintiff(s) by **10/17/2025**
 - from defendant(s) by **11/17/2025**Supplementations under Rule 26(e) due **12/17/2025**

4. Other Items.

(a) Initial Pretrial Conference. The parties **request a conference** with the Court prior to the entry of a Case Management Order.

(b) All potentially dispositive motions shall be filed by March 16, 2026.

(c) Settlement

Based upon preliminary discussions, settlement in this case **cannot yet be adequately evaluated**. The prospect of settlement may be enhanced by use of the following ADR procedure:

Mediated Settlement Conference
xx Judicial Settlement Conference
Binding Arbitration
Other:

The parties agree that the above-selected ADR procedure would be most useful if conducted:

- ☐ Prior to further discovery.
- ☐ After an initial round of preliminary discovery to be completed by
- ☒ After the completion of discovery.

(d) This case will be tried with a jury.

(e) Final lists of witnesses and exhibits under Rule 26(a)(3) are due 30 days before trial for Plaintiff and Defendants.

(f) Local Civil Rule 73.1(C) Certification.

- ☒ The parties have discussed the issue of consent to the jurisdiction of a U.S. magistrate judge and there is not unanimous consent. If unanimous consent is present, file an executed Joint Stipulation of Consent form (WDNC Form 34) contemporaneously with the CIAC or else the option to consent may be deemed waived as untimely.

5. Please identify any other matters regarding discovery or case management which may require the Court's attention (e.g., concerns re: confidentiality, privilege, and electronically stored information):

Plaintiff has filed a motion to stay this conference, and requests that the Court adjust the scheduling order accordingly if the motion is granted.

Plaintiff's participation during this conference is under protest due to pending rulings on her Motion to Stay Initial Attorney's Conference and her Motion for Certification of Interlocutory Appeal and Request to Stay Proceedings. Plaintiff does not waive any appellate rights.

Plaintiff requests that any agreements made during this conference are not binding and any discovery schedule is subject to modification if interlocutory appeal is successful and additional claims/parties are reinstated.

Plaintiff requests that all discovery will be stayed automatically if the appeals court accepts interlocutory appeal.

Jointly Submitted: April 16, 2025.



Mackenzie Brown
Plaintiff

s/ Sean Perrin
Attorney for Defendants

CERTIFICATE OF SERVICE

I certify that I filed the foregoing via the CM/ ECF system and mailed the foregoing to the following non CM/ ECF user as follows:

Mackenzie Elaine Brown
158 Haven Road
East Flat Rock, NC 28726

Dated: April 16, 2025

s/Sean F. Perrin